IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AUDREY ZIADAT and BRIAN ANDRIS Plaintiffs v. TOYS R US Defendant	: : : : : : : : :	CIVIL ACTION NO.

NOTICE OF REMOVAL

The Petitioner, TOYS R US respectfully states to this Court:

1. An action was commenced and is currently pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, No. 140503332 in which AUDREY ZIADAT and BRIAN ANDRIS, h/w are named as the Plaintiffs and the Petitioner, TOYS R US is named as Defendant.

2. This action was instituted to recover for personal injury allegedly sustained as a result of a slip and fall at a Toys “R” Us retail store location at 10 Geoffrey Drive, Newark, Delaware on or about June 17, 2012.

3. Plaintiffs’ Complaint seeks damages in excess of $50,000.00. See Plaintiffs’ Complaint, attached hereto as Exhibit “A” and incorporated herein by reference.

4. In correspondence dated June 10, 2014, Plaintiffs’ counsel, issued a demand in the amount of $150,000 and indicated his clients’ unwillingness to agree to

cap damages at $75,000. See Plaintiffs' counsel's June 10, 2014 correspondence, attached hereto as Exhibit "B" and incorporated herein by reference.

5. The matter in controversy therefore exceeds the sum or value of $75,000.00, exclusive of interest and costs.

6. In the interest of judicial economy and the fair adjudication of claims brought before the court, Petitioner seeks removal to this Court.

7. Upon information and belief, Petitioner states that diversity of citizenship exists between the parties in controversy as follows:

(a) The Plaintiffs, AUDREY ZIADAT and BRIAN ANDRIS, h/w, are now and were at the time of the commencement of this action Pennsylvania residents, with a residence located at 203 Throeau Court, Landenberg, Pennsylvania, 19350-9512;

(b) The Defendant, TOYS R US, is now and was at the time of the commencement of the action a corporation with a principal place of business at One Geoffrey Way, Terrace Building, 5th Floor, Wayne, New Jersey, 07470-2030;

(c) This incident giving rise to this litigation allegedly occurred in Newark, Delaware.

8. This Court has original jurisdiction over the action between the Plaintiffs and the Defendant pursuant to the provisions of 28 U.S.C. §1332 and as a result, Petitioner may remove this action to this Court pursuant to the provisions of 28 U.S.C. §1441.

9. This Notice is filed with the Court within the time for removal set forth in 28 U.S.C. §1446(b) in that Plaintiffs commenced this matter on or about May 28, 2014

with proper service made on Defendant on June 2, 2014. See copy of the Philadelphia Court of Common Pleas docket attached hereto as Exhibit "C".

10. The written notice of the filing of this Notice of Removal has been given to all parties by 28 U.S.C. §1446(d).

11. A true and correct copy of this Notice of Removal will promptly be filed with the Prothonotary of the Court of Common Pleas of Philadelphia County, Pennsylvania, as provided by 28 U.S.C. §1446(d).

WHEREFORE, Petitioner respectfully requests that it may effect removal of this action from the Court of Common Pleas of Philadelphia County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania.

MALLON & BLATCHER

BY: /s/ Francis S. Blatcher

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